

USA SEP. 19. 2006 9:17AM

CHOATE HALL & STEWART 6172484000

NO. 208 P. 22

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UNITED STATES PATENT AND TRADEMARK OFFICE

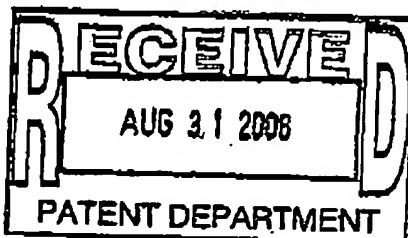
UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,910	09/09/2003	Kenichi Chiba	2003946-0056 (ANDI/CIP)	5169
24280	7590	08/29/2006	EXAMINER	
CHOATE, HALL & STEWART LLP TWO INTERNATIONAL PLACE BOSTON, MA 02110			BALLS, ROBERT J	
<i>Res. Non-Cmp. Amend</i> Due <u>9/29/06</u> Final <u>8/28/07</u>			ART UNIT	PAPER NUMBER
			1625	
			DATE MAILED: 08/29/2006	

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Please find below and/or attached an Office communication concerning this application or proceeding.



Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No.	Applicant(s)
	10/657910	
	Examiner BALLS	Art Unit 1625

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on 16 August 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____.
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____.
- 3. Amendments to the drawings:
 - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - C. Other _____.
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Cancelled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: CANCELED CLAIMS 25, 26, 32, 34, 35, HAVE BEEN RESUBMITTED AS ORIGINAL.
- 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment, an amendment filed after allowance, or a drawing submission (only). If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted.
2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Linda Humes

571 272-0530

Legal Instruments Examiner (UE), if applicable

Telephone No.

U.S. Patent and Trademark Office

Part of Paper No.



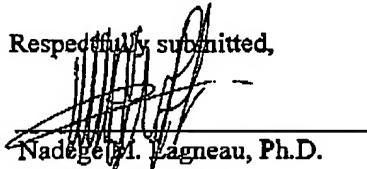
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Recipient	Company	Fax	Phone
Mail Stop Amendment (Examiner Robert J. Balls)	USPTO	(571) 273-8300	(571) 272-7997
From	Nadège M. Lagneau, Ph.D.	Number of Pages	23 (including this page)
Date	September 19, 2006	Client Number	2003946-0056
Phone	(617) 248-5150	Operator	Time Sent
Comments	Applicant : Chiba, et al. Serial No. : 10/657,910 Filed : September 9, 2003 For : MACROCYCLIC COMPOUNDS USEFUL AS PHARMACEUTICALS		
In response to the Notice of Non-Compliant Amendment mailed August 30, 2006 for the above-identified patent application, enclosed are:			
1. Transmittal (1 pg); 2. Response to Notice of Non-Compliant Amendment Under §37 CFR 1.121 (19 pp); 3. Copy of Notice of Non-Compliant Amendment mailed August 30, 2006 (2 pp); and 4. This Facsimile Cover Sheet (1 pg).			
Respectfully submitted,  Nadège M. Lagneau, Ph.D. Reg. No. 51,908			

This Message is transmitted to you by the law firm of Choate, Hall & Stewart LLP. The substance of this message, along with any attachments, may be confidential and legally privileged. If you are not the designated recipient of this message, please destroy it and notify the sender of the error by return e-mail or by calling 1-800-520-2427.

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ATTORNEY DOCKET No.: 2003946-0056 (ANDI-001-C1US)

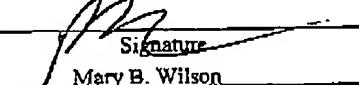
SEP. 19 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Chiba, et al.	Examiner:	Robert J. Balls
Serial No.:	10/657,910	Art Unit:	1625
Filing Date:	September 9, 2003		
Title:	MACROCYCLIC COMPOUNDS USEFUL AS PHARMACEUTICALS		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Certificate of Facsimile Transmission Pursuant to 1096 OG 30-31 I hereby certify that this correspondence is being facsimile transmitted to the US Patent & Trademark Office (571) 273-8300 on the date indicated below. <u>September 19, 2006</u> Date  Signature <u>Mary B. Wilson</u> Typed or Printed Name of person signing certificate
--

TRANSMITTAL LETTER

Enclosed for filing in the above-referenced patent application, please find the following documents:

1. Response to Notice of Non-Compliant Amendment Under §37 CFR 1.121 (19 pp);
2. Copy of Notice of Non-Compliant Amendment mailed August 30, 2006 (2 pp); and
3. Facsimile Cover Sheet (1 pg).

Please charge any additional fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully Submitted,
CHOATE, HALL & STEWART LLP


Nadège M. Lagneau
 Reg. No. 51,908

Date: September 19, 2006

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Page 1 of 1

 Attorney Docket No.: 2003946-0056
 Client Reference No.: ANDI-001-C1US